

Serial No.: To be assigned
Case No.: BY0036P
Page No.: 12

REMARKS

Consideration of the application is respectfully requested in view of the above amendments and following remarks. Claims 1-10 have been canceled without prejudice to pursuing in a divisional application. New Claims 11-20 have been submitted are currently pending.

Claims 11-19 correspond to original Claims 1-7 and find support in the specification. In particular, support for the addition of “or a pharmaceutically acceptable salt or ester thereof” is found on page 8, lines 20-38 of the specification.

Claim 20 finds support in original Claim 10, wherein original Claim 10 has been amended by replacing “An agent” with “A method”, by adding “administering to a mammal in need thereof”; by deleting “arbitrary/” and “as an active ingredient”; and by replacing the phrase “or a salt or ester thereof” with the phrase “or a pharmaceutically acceptable salt or ester thereof”. Support for the addition of “or a pharmaceutically acceptable salt or ester thereof” is found on page 8, lines 20-38 of the specification. Support for adding “a method of treating obesity and diabetes” is found on page 5, lines 10-20; page 6, lines 3-4; and page 9, lines 9-10 of the specification. Support for adding “administering” is found on page 18, lines 19-21 and page 46, lines 1-3 of the specification. Support for adding “a mammal in need thereof” is found on page 39, lines 26-27 of the specification.

The specification has been amended at page 1, before line 11 to clarify the relationship of the instant divisional application to the parent application JP2004-043347 in the added “CROSS REFERENCE TO RELATED APPLICATIONS” section.

Applicants believe that no new matter has been added to the above-captioned application by the amendments or by the addition of the new claims.

Applicants respectfully request examination and issuance of a favorable Action.

Respectfully submitted,

Serial No.: To be assigned
Case No.: BY0036P
Page No.: 13

By Baerbel R. Brown
Baerbel R. Brown, Reg. No. 47,449
Attorney for Applicants

August 17, 2006

MERCK & CO., Inc.
P.O. Box 2000
Rahway, NJ 07065-0907
Tel.: (732)594-0672